

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENTER****AUG 02 2004**In the application of
Hill et al.

Examiner: L. S. Cohen

Group Art Unit: 3739

For: **HELICALLY SHAPED
ELECTROPHYSIOLOGY
CATHETER**

Serial No.: 09/847,181

Filed: May 1, 2001

Atty. Docket No.: R0370-02300

**DECLARATION UNDER 37 C.F.R.
§1.131**

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8
 I hereby certify that this these papers are being sent by facsimile to (703) 82-9306, addressed to Examiner Lee S. Cohen, at Mail Stop
 Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 8/2/04, in San Francisco, CA.
Ann Marie Leavy
 Ann Marie Leavy

DECLARATION OF ERIC CHAN

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

I, Eric Chan, depose and say that:

1. I am an inventor in the above identified application and I am Vice President, Product Development for the assignee Cardima, Inc.
2. On information and belief, a draft of the above identified application disclosing the invention claimed in the above identified application was prepared in the United States and forwarded to the inventors for review prior to April 10, 2001, the filing date of U.S. Publication No. 2001/0020174 (Koblish). A copy of the cover letter

BEST AVAILABLE COPY

submitting the application to the inventors and a copy of the draft application returned from the inventors with comments are attached hereto as Exhibit A.

3. On information and belief, a letter dated April 19, 2001, indicated that a second copy of the draft application was sent to the inventors for review. A copy of the letter dated April 19, 2001, is attached as Exhibit B.

4. I sent an e-mail on April 23, 2001 to Priscilla Mark, an attorney handling the above application indicating changes requested in the application. A printed copy of the e-mail dated April 23, 2001.

5. On information and belief, from a date prior to April 10, 2001 until May 1, 2001, the date the above identified application Serial No. 07/000,653 was filed, diligence was exercised in preparing and forwarding a draft of the application to the inventors for review.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above identified application or any patent issued thereon.

Date: July 20, 2004


Eric Chan